

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/803,126
Inventor(s) : James Robert Schwartz et al.
Filed : March 17, 2004
Art Unit : 1616
Examiner : Ernst V. Arnold
Docket No. : 9183M&
Confirmation No. : 4865
Customer No. : 27752
Title : AUGMENTATION OF PYRITHIONE ACTIVITY OR A
POLYVALENT METAL SALT OF PYRITHIONE
ACTIVITY BY ZINC-CONTAINING LAYERED
MATERIAL

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING REFERENCE APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The owner, The Procter & Gamble Company and Arch Chemicals, Inc. who together own 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/802,166, filed on March 17, 2004, as such term is defined in 35 U.S.C. 154 to 156 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Appl. No. 10/803,126
Docket No. 9183M&
Paper dated November 17, 2008
Reply to Office Action mailed on May 16, 2008


In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the reference application, in the event that any such patent granted on the reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20(d) for submission of this Terminal Disclaimer.

The undersigned is an attorney or agent of record.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By 
Signature

Linda M. Sivik

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Date: November 17, 2008
Customer No. 27752

Terminal Disclaimer over Application.doc
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